

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

FLEMING COMPANIES, INC.	)	CASE NO. C-1-01-088
	)	
Plaintiff,	)	JUDGE BECKWITH
	)	
v.	)	Magistrate Judge Hogan
	)	
KENNETH L. BARBOUR, et al.	)	NOTICE OF WITHDRAWAL OF
	)	MOTION FOR ORDER OF
Defendants.	)	APPEARANCE OF JUDGMENT
	)	DEBTOR MARK A. BARBOUR FOR
	)	EXAMINATION AS TO PROPERTY
	)	SUBJECT TO EXECUTION

Fleming Companies, Inc., the Plaintiff in the above-entitled action hereby withdraws its Motion for Order of Appearance of Judgment Debtor Mark A. Barbour for Examination as to Property Subject to Execution which was filed with this Court on December 19, 2003. Since that date, Plaintiff has learned that Mark A. Barbour is no longer a resident of the State of Ohio.

Respectfully submitted,

/s/ Robert J. McBride  
Robert J. McBride (#0065422)  
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Attorney for Plaintiff  
Fleming Companies, Inc.

PROOF OF SERVICE

A copy of the foregoing Notice of Withdrawal was served this 30<sup>th</sup> day of December, 2003, by regular U.S. mail upon the following:

Mark A. Barbour  
17150 Ravens Roost, #10  
Ft. Myers, FL 33908

Jennifer Barbour  
17150 Ravens Roost, #10  
Ft. Myers, FL 33908

Reva J. Boone  
7174 U.S. Route 52  
Ripley, Ohio 45167

/s/ Robert J. McBride  
Robert J. McBride

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